Regarding the 35 U.S.C. § 102(b) rejection of claims I, 2, 4 and 5, based on U.S. Patent Publication No. 2002/0102999 (Maggenti), it is noted that Maggenti is not available as a 102 (b) reference against the present application because it was not published until August 1, 2002, after the filing date of the present application. Withdrawal of the 35 U.S.C. § 102(b) rejection is requested.

Even if Maggenti were a valid 102(b) reference, it would still not be an effective 102 reference against claims 1, 2, 4 and 5 for the following reasons.

The Examiner uses the word "corresponding" to describe the relationship between the control manager (CM) 18 and the security manager (SM) 20. This use of the word "corresponding" does not appear in Maggenti. Maggenti states that the security manager "conforms" to a CM 18 administration interface. Figure 1 of Maggenti shows the security manager 20 connected to the internet 26 and to the control manager 18 through an IP gateway.

From the cited passages of Maggenti therefore it can be clearly seen that the security manager has a single interface to the control manager and is distinct from the control manager. In fact, Maggenti shows the security manager 20 connected through the internet and a pair of gateways to the control manager 18.

On page 3 of the Office Action, the Examiner refers to Figure 3 and states "that the control module core (security manager) contains a media control unit...". However, Figure 3 illustrates the control manager 18 in more detail and not the security manager which, as pointed out above, is a completely distinct entity as explained by Maggenti in connection with Fig. 1. Therefore, the Examiner is incorrect to state that the control module core is the same as the security manager and is incorrect in putting "security manager" in parenthesis after the phase "control module core."

Thus, the Examiner's conclusion that the Maggenti disclosure meets the limitations set forth in claim 1 that calls for having a security media interface for interfacing between the security manager and a media controller is incorrect. The security manager 20 of Maggenti only has a single interface to the control manager 18 as can be clearly shown in Fig. 1 of Maggenti.

Although the SIP is used in the disclosure of Maggenti to describe the interchange between the control manager and the communication devices (CD), and therefore there must be an SIP stack in both the communication device and the control manager, it is not necessarily the case that there is an SIP stack in the security manager 20 of Maggenti.

Maggenti only discloses the security manager 20 in a tangential manner throughout his entire specification. After the passage is cited by the Examiner, the security manager 20 of Fig. 1 is not again mentioned by Maggenti until paragraph 0296 on page 23. Maggenti gives detailed state diagrams in various parts of the Maggenti patent specification, but not relating to the security manager.

The present specification on the other hand, gives detailed state diagrams of what goes on inside the security manager of Fig. 17 of the present disclosure which security manager is not remote like the security manager 20 of Maggenti but rather is intimately shown interfaced to the various other modules shown in Fig. 17 with the various interfaces claimed in claim 1. Fig. 17 refers to the Fig. 17 published in U.S. 2002/0129236 and corresponds to the as-filed Fig. 17. Applicant filed a revised specification with a reduced number of drawings, as required by the Notice to File Missing Parts, placing the objected-to text into the specification. For some reason, despite having complied with the Notice to File Missing Parts, the substitute specification was not published. Republication is requested. The as-filed Fig. 17 corresponds to Fig. 10 in the substitute specification. It is not clear why the publication 2002/0129236 was published with as-filed Figure 10 as the figure to be placed on the front page since Fig. 10 represents prior art. It is requested that upon republication, or at least upon publication of the issued patent, that as-filed Fig. 17 (Fig. 10 in the substitute

specification) be published instead since that figure most closely corresponds to that which is claimed in claim 1.

Regarding claim 2, again the Examiner is making an identity between the control manager and the security manager of Maggenti which is not the case. Even if Maggenti shows an idle state and a wait for authorization state, which is not admitted, it would be within the control manager 18 not the security manager 20. These are distinct devices as plainly shown in Fig. 1 of Maggenti. There is only one interface shown between the control manager 18 and the security manager 20. The present invention claims four interfaces in claim 1 for use in conjunction with the protocol stack of a voice over internet protocol terminal.

Regarding claim 4, which is an independent claim having its preamble illustrated in Fig. 15, it claims an SIP signaling stack (such as shown in Fig. 17) with an SIP manager (such as shown in Fig. 17) within the SIP stack and a security manager within the SIP stack with the various interfaces claimed in claim 4 of the security manager to the SIP manager, the telephony application and the network layer.

Paragraph 92 on page 6 of Maggenti merely refers to Fig. 4 which shows SIP call-signaling 302 on UDP streams 304 encapsulated within IP protocol 306. Thus, Maggenti does not show any details of an SIP stack such as shown in Fig. 17 of the present disclosure and as claimed in claim 4. The paragraph 82 on page 5 of Maggenti merely describes the signaling of Fig. 2 between the CD 108 and the CM 104 which includes among SIP signaling 120 NBS media signaling 124 and media traffic 128. It also says that the SIP is an IETF defined application-layer protocol which describes control mechanisms to establish, modify, and terminate multimedia sessions operating over internet protocol. Maggenti says that the SIP channel 120 is used to start and end participation of a CD within the net 100. But Maggenti does not describe the details of an SIP stack such as claimed in claim 4, much less showing a security manager interfaced to an SIP stack. To the contrary, Maggenti's security manager is remote from the claimed SIP signaling stack for a voice over internet protocol terminal device. Therefore, the disclosure by Maggenti does not meet the limitation set forth under

claim 4. Again, Fig. 3 does not show the details of a terminal device but rather a server, i.e., a control manager 18, 104.

Regarding claim 5, it further limits claim 4 to the specifics of the interfaces for the security manager of Fig. 17. The Examiner is referred to Maggenti's Fig. 3 again which as pointed out previously does not illustrate the security manager but rather the control manager 18, 104. The security manager of Maggenti is a distinct entity shown in Fig. 1 under reference numeral 20 and is never disclosed in Maggenti as being the same as or identical with or merged with the control manager. There is a single interface between the security manager 20 and the control manager 18 shown by Maggenti. It is incorrect also for the Examiner to say that Figure 3 shows how the "control manager (security manager)" is used to connect (interface) all of the various components together. Fig. 3 has nothing to do with the security manager but rather has to do with the control manager. The only thing that paragraph 0067 and 0068 disclose on page 4 of Maggenti is that the SM 20 has an interface called either an administration interface in paragraph 0067 or an interface to automate administrative functions with any administrative capabilities that it may have. This does not put the security manager 20 into the SIP security stack of the control manager 18. It is still a separate entity that is remote from the control manager and interconnected therewith by means of the internet 26 of Fig. 1. Again, the disclosure of Fig. 3 described in paragraph 0086 relates to the control manager, not the security manager. Paragraph 0086 simply does not have anything to do with the security media interface of claim 5.

Withdrawal of the 35 U.S.C. §102 rejection against claims 1, 2, 4 and 5 is requested.

Claims 3 and 6-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Maggenti in view of the publication "Signaling for Internet Telephony" (Feb. 2, 1998) by Schulzrinner & Rosenberg. While it is true that Schulzrinner & Rosenberg's publication show an overview of the session initiation protocol with several methods and primitives described, the passages cited by the Examiner do not explicitly mention anything about a state machine having an idle state and a wait for authorization as claimed in claim 2 much less the transitions claimed in claim 3 which depends from

claim 2. Even if Schulzrinner & Rosenberg's publication did show such states as claimed in claim 2 and as further limited by claim 3, claim 3 would still be non-obvious over the combination of Maggenti as modified by Schulzrinner & Rosenberg because the control manager 18 of Maggenti is distinct from the security manager 20 of Maggenti and only a single interface is disclosed by Maggenti therebetween. Withdrawal of the obviousness rejection of claim 3 is requested.

Regarding claim 6-8, an essential limitation of all three of these independent claims is that there is a security manager module of the sending terminal (Claim 6), a security manager module of the receiving terminal (Claim 7), and a security manager module in both the receiving terminal and the sending terminal (Claim 8). Maggenti, on the other hand, shows a security manager 20 that is remote from the control manager and is not even hinted at as being in any of the terminals 12, 14, 16, 17.

The precise problem solved by the present invention is to address the voice over IP security which has heretofore been not well specified or advantageously interfaced to an SIP stack such as shown and described in the present specification.

The Examiner's analysis of the 103 rejection completely misses the point that the security manager is in a terminal such as a communication device 12, 14, 16, 17 of Fig. 1 of Maggenti. Again, Fig. 3 of Maggenti does not have anything to do with the security manager or the terminals 12, 14, 16, 17 but rather the control manager 18. Although Fig. 11 of Maggenti shows SIP call signaling between a communication device 352 and a top level SIP server 236 and control manager MCU SIP user agent server 252, it doesn't have anything to do with signaling involving a security module within the CD 352 because there is no security module within the CD 352 of Maggenti. All of the security functions of Maggenti are carried out by the security manager 20 which is located remotely from both the control manager 18 and the communication devices 12, 14, 16 and 17. The disclosure on page 4, paragraph 0068 shows a security manager 20 that is remote from both the CM 18 and the CDs 12, 14, 16 and 17.

There is no hint or suggestion in the Schulzrinner & Rosenberg disclosure of a security manager located in a terminal.

Withdrawal of the obviousness rejection of claims 6-8 is requested.

The objections and rejections of the Office Action of March 15, 2004 having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-8 to issue is solicited.

Respectfully submitted,

8 JULY 2004
Date

Francis J. Maguire
Registration No. 31,391

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, CT 06468-0224

Tel: (203) 261-1234
Cust. No.: 004955